

A regular meeting of the Redmond City Council was called to order by Mayor Rosemarie Ives at 7:30 p.m. in the Council Chambers. Councilmembers present were: Cole, Marchione, McCormick, Paine, Resha, Robinson, and Vache.

#### CHANGES TO THE AGENDA

The Mayor announced the following changes to the agenda:

- Item V.2. has been postponed until a future meeting,
- staff will provide a status report on the solid waste contract under Staff Reports, and
- under New Business, Councilmember Resha would like to discuss the 166 Avenue NE Project.

#### ITEMS FROM THE AUDIENCE

Michael Johnson, Genie Industries, gave a copy of his written remarks to the City Attorney and asked if they would be appropriate since the Taylor Comprehensive Plan Amendment request has been determined to be quasi-judicial.

The City Attorney stated that, generally, Comprehensive Plan Amendment applications are not quasi-judicial, but considering the fact that the amendment would only apply to the Taylor property, staff is treating the Taylor application as quasi-judicial. Normally, he continued, at this stage in the process there would be no discussion of the proposal by the Council and public comments would only be received by the Planning Commission. However, the Council could treat Mr. Johnson's comments as communication exparte to the entire Council so those comments could be entered into the Planning Commission record, and at the Planning Commission's public hearing, other members of the public could respond, he concluded.

Mr. Johnson continued his remarks expressing Genie Industries' concerns about designating the Taylor property as both manufacturing park and residential zoning. He asked that the Council ensure adequate transitional zoning in and around existing industrial activity and include office park and commercial designations as well as housing in the manufacturing park zone. He also asked that the city provide for a north-south transportation corridor suitable for round-the-clock industrial traffic. In conclusion, he asked that Underwood-Johnson, the property owners of Genie's south campus, receive similar consideration as the Taylor proposal.

Bill Garing, Chair, Board of Trustees, Greater Redmond Chamber of Commerce, distributed a letter to the Council and stated that the Chamber supports the continuation, without major modifications, to the Business Tax Transportation Improvements ordinance, which is set to sunset after December 2004. He explained that the Chamber supports the

tax because it provides a direct and dedicated revenue source for transportation improvements and related programs. He added that the \$55 per full-time equivalent employee is reasonable and predictable. He encouraged the Council to retain the four-year sunset provision when renewing the ordinance, continue to provide updates to the business community and on the city's website, and continue the Business Tax Transportation Improvements Advisory Committee, which recommends to the Council how the funds should be expended.

Shannon Underwood, Underwood Johnson Group, P.O. Box 3513 Bellevue, Washington 98009, distributed a letter to the Council and stated the Underwood Johnson Group owns the abutting 24-acre parcel directly south of the Taylor property. She expressed the concern that nearby residents have not taken into consideration the proximity to the Genie Industries manufacturing facility prior to the purchase of their homes. Area residents, she continued, have continually raised issues with the business conducted in the Underwood Johnson Group's manufacturing park, and those complaints are expected to continue and increase. She felt that these residents will pressure the city to force the existing businesses or future businesses to change their mode of business. Therefore, she added the Underwood Johnson Group is not in favor of the Taylor Comprehensive Plan Amendment proposal. She concluded that if the city expands the Taylor property zoning to include manufacturing and residential uses, then the Underwood Johnson Group requests that its property also be rezoned with that MP/R zoning.

Mark Thometz, Executive Director of DASH (Downtown Action to Save Housing), 11018 NE 11 Street, Bellevue, Washington 98004, provided the Council with a copy of DASH's 2002-2003 Annual Report. He stated that DASH purchased the Summerwood Apartments to preserve viable housing options for a wide variety of city residents and looks forward to working with the city on that project.

Martin Snodgrass, 11416 172 Avenue NE, urged the Council to confirm the reappointment of Kimberly Allen, Kate Dunn, and Susan Petitpas to the Planning Commission.

Melna Skillingstead, Arts Program Administrator, invited the Council and the public to attend the Firefighter Plaza dedication at Fire Station 11 on April 1, 2004 at 2:00 p.m.

#### CONSENT AGENDA

Motion by Mr. Cole, second by Mr. Resha, to approve the following items of the Consent Agenda:

(1) approval of minutes of the regular meeting of March 2, 2004 (audio tapes of regular Council meetings are available at the Library).

(2) approve the following payroll/direct deposit and claims checks:

PAYROLL/DIRECT DEPOSIT CHECKS:

#157874 through 157986; and  
#120882 through 121451     \$1,093,115.32

CLAIMS CHECKS:

#21329 through 214303     \$3,434,780.37

(3) confirm the reappointments of Kimberly Allen, Kate Dunn, and Susan Petitpas to the Planning Commission

(4) approve the disposition by sale of City of Redmond owned property located adjacent to and south of NE 85 Street, just west of 158 Avenue, for a sales price of \$135,000, and authorize the Mayor to sign the Purchase and Sale Agreement, Warranty Deed, and other documents associated with this transaction

(5) approve the acquisition of vacant property located within the 9700 block of 180 Avenue NE (Tax Parcel No. 720000-2000), for the purchase price of \$90,000, for the SE Redmond Transmission Main, Project No. 01-OW-37, and authorize the Mayor to sign the Purchase and Sale Agreement and for staff to complete the transaction

(6) authorize the Mayor to execute, on behalf of the City of Redmond, the Interlocal Agreement for the 2004-2005 Reduction and Recycling Grant Program between King County and the City of Redmond

(7) approve the final contract amount with Dennis R. Craig Construction, Inc., of Redmond, Washington, comprised of the bid amount of \$330,538 plus bid item quantity increases and decreases and change order for a final contract amount of \$398,443, and accept construction of

the Redmond Way/132 Avenue NE Intersection Improvements, Project No. 00-CI-55, as of March 16, 2004

(8) approve an amended contingency plan covering reduced funding for planning and public services required as a result of the decrease in federal Community Development Block Grant (CDBG) dollars available in 2004, announced in mid-February 2004

(9) approve the 2004 ARCH (A Regional Coalition for Housing) work program and administrative budget

(10) allocate a total of \$150,000 from the affordable housing funds in the General Government Capital Investment Program (CIP) and from the city's CDBG allocation to ARCH to support the following three projects:

1. \$50,000 from the General Government CIP to support predevelopment funding of the acquisition and rehabilitation of the 190-unit Summerwood Apartment complex on Avondale Road NE in Redmond by DASH, with conditions as recommended by the ARCH Executive Board

2. \$50,000 from the General Government CIP to support an ARCH initiated down-payment assistance program for homebuyers earning less than 80 percent of the King County median income, known as the Eastside Homebuyer Financial Assistance Program

3. \$50,000 in year 2004 CDBG funds (previously set aside for a potential ARCH project) in support of the acquisition of a single-family home in Redmond to establish an adult family home serving five developmentally disabled adults by Community Homes, Inc., with conditions as recommended by the ARCH Executive Board

(11) adopt Ordinance No. 2200, accepting a donation of \$10,000 from the Redmond

Rotary for the design, fabrication, and installation of an art bench for the Redmond Fire Station 11 plaza, and authorizing the Mayor to execute an agreement with the Redmond Rotary regarding said donation, which was presented and read

(12) adopt Ordinance No. 2201, specifying the conditions under which the city and Quadrant Corporation may be reimbursed for participation in the construction of improvements to Union Hill Road, Project No. 00-CI-57, pursuant to RCW 35.72.050; providing for severability and establishing an effective date, which was presented and read

Upon a poll of the Council, Cole, Marchione, McCormick, Paine, Resha, Robinson, and Vache voted aye. Motion carried unanimously (7 - 0).

#### OATH OF OFFICE

The City Attorney administered the oath of office to Planning Commissioners Kimberly Allen, Kate Dunn, and Susan Petitpas.

#### REPORTS

##### Staff Report - 2003 Year-End Financial Report

Lenda Crawford, Finance and Information Services Director, in a memorandum to the Council dated March 16, 2004, summarized the performance of the major city funds for the first twelve months of the 2003-2004 biennium.

Ms. Crawford responded to Councilmember questions pertaining to police and fire overtime, water/wastewater and stormwater rates, and sales tax revenue.

Councilmember Paine highlighted the following key issues contained in the report: sales tax revenues are at pre 1999-2000 levels; upcoming big ticket items include labor settlements and increased costs for health benefits, jails and courts; fall 2004 initiatives, if passed, would result in potential revenue reductions; and the Washington State economy is not turning around as rapidly as predicted.

Staff Report - Privately Initiated Comprehensive Plan  
Amendment to Allow Housing in MP Zones (Quasi-Judicial)

Roberta Lewandowski, Planning and Community Development Director, in a memorandum to the Mayor and Council dated March 16, 2004, reported on the status of the Comprehensive Plan Amendment request (Taylor request) to allow housing in the manufacturing park zones and alerted the Council to the quasi-judicial nature of this application.

Terry Shirk, Senior Planner, stated that the request from the Taylor Group to allow housing in the manufacturing park zone is part of the package of Comprehensive Plan amendments. Staff asked the Planning Commission if it wanted to study whether or not to allow housing in all manufacturing park zones and the Commission elected to only act on the Taylor application, she added. Councilmember Paine confirmed that staff is not asking the Council to broaden the geographic scope of the amendment request. Ms. Shirk replied yes, that is correct, and summarized the Planning Commission's rationale for retaining the narrow focus. Councilmember McCormick clarified that the Planning Commission could expand its review to other manufacturing park zoned properties.

Councilmembers expressed concern about the potential loss of manufacturing industries in Redmond and about how the proposal would impact the general neighborhood. The Council requested that staff schedule study session time to discuss the desirability and viability of manufacturing in Redmond.

Staff Report - Solid Waste Contract

Jon Spangler, Natural Resources Manager, provided a status report on the implementation of the city's new solid waste and recycling contract, noting that the new services began on March 1, 2004.

OMBUDSMAN REPORT

Councilmember Vache received an inquiry regarding the Grass Lawn Neighborhood Plan.

Councilmember Cole stated that he received a call from a different party regarding the status of property near Grass Lawn Park. He noted that he drove by the property and it is not for sale. Councilmember Cole also reported that he attended the Sequoia Estates neighborhood meeting and later learned about the issue being quasi-judicial. He added that several people at the meeting raised concerns about the traffic light on Old Redmond Road.

March 16, 2004

Councilmember Marchione said that he noticed a depression in a roadway and will give the address to the Public Works Director.

#### STAFFING FOR IMPLEMENTATION OF WELLHEAD PROTECTION ORDINANCE

The Mayor, in a memorandum to the Council dated March 16, 2004, recommended approval of two new full-time equivalent (FTE) positions required to execute and administer the Wellhead Protection Program adopted in October 2003.

Motion by Mr. Paine, second by Mr. Resha, to approve two new FTE positions required to execute and administer the provisions of the Wellhead Protection Ordinance and Program.

Councilmember Robinson was concerned about the \$200,000 annual cost of the program and its impact on water/wastewater rates. He stated that although he agrees that it is critical to protect the quality of the city's groundwater, he could not support the motion. He felt that residents' frustration with rates is what leads to the success of Tim Eyman's initiatives.

Councilmember Robinson and several other Councilmembers questioned whether or not the program could be implemented in stages. Tom Barry, Natural Resources Engineering Section Manager, responded that the program is being phased. The program involves sending out approximately 900 questionnaires and responding to questions, receipt of hazardous waste management plans from businesses, and an educational component, he explained. Enforcement will not begin until 2005, he concluded.

Motion carried (6 - 1) with Robinson voting nay.

#### RECESS

The Council meeting recessed at 9:10 p.m. and reconvened at 9:21 p.m.

#### RESOLUTION - APPOINTMENT OF REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO CASCADE WATER ALLIANCE BOARD OF DIRECTORS

This item was postponed until a future meeting.

#### 166 AVENUE NE PROJECT

Councilmember Resha stated the connection of the downtown area to neighborhoods is one element of the city's Downtown Transportation Plan. The conversion of 166 Avenue NE from

four to three lanes between NE 85 Street and Redmond Way was discussed by the Council several times in 2002 with a decision that that portion of the roadway remain four lanes, he explained. He added that he felt it was prudent and timely to take one more look at the conversion to three lanes while there was still time to modify the construction contract with little increased cost. The framework policies and goals the Council adopted in December 2003 emphasize mobility choices and connections, and the community center is a popular site right in the middle of this corridor, which connects Education Hill to the downtown, he noted. He concluded that four lanes leaves little room for bicycles and pedestrians and a reduction to three lanes would increase capacity.

Don Cairns, Transportation Division Manager, stated that the contractor on the 166 Avenue NE Project is ready to pave the street. He confirmed that traffic movement is better with three lanes as there is less delay at intersections.

Councilmember Resha stated that two lanes with a center turn lane and bicycle lanes allows public safety responders freer movement and also helps the traffic flow from the east-west corridors that feed into 166 Avenue NE.

Motion by Mr. Resha, second by Mr. Paine,  
to convert 166 Avenue NE from NE 85 Street  
to Redmond Way to a three-lane roadway.

Councilmember Marchione said that he could not support the motion as he did not have sufficient time to fully understand the issue. He noted that this issue was not included on tonight's agenda and on October 1, 2002 when the Council decided to make the roadway four lanes, the public was led to believe that decision was final. He added that he was not against considering the idea of three-lane roadways, but was not convinced that this emergency action was necessary. Also, he continued, he understood that some of the data indicated that north-south traffic flow functioned worse under the three-lane roadway scenario. Therefore, for technical and process reasons he would vote against the motion, he concluded.

Councilmember Vache was also concerned about acting on this issue tonight given the lack of notification and suggested having a special Council meeting next week to take action. He added that he did have the opportunity to see staff's model, but acknowledged that other Councilmembers and citizens did not have that information. Ron Grant, Construction Division Manager, replied that by delaying the decision for a week, the city could run the risk of the contractor filing a claim.



March 16, 2004

Councilmembers McCormick and Cole were also disappointed in the public process and that the Council had not received any background on this issue for tonight's meeting. Councilmember McCormick was in favor of delaying the decision for a week.

Councilmember McCormick confirmed that should the three-lane roadway not perform as expected, the roadway could be converted to four lanes. Mr. Cairns replied yes, that is correct.

Councilmember Cole stated that he could not support delaying the project in order to redesign it in light of these tight economic times.

Motion carried (4 - 3) with Cole, Marchione, and McCormick voting nay.

#### COMMITTEE REPORTS

##### Planning and Public Works Committee

Councilmember Marchione stated that the Planning and Public Works Committee met on March 10, 2004 and began discussions on its work program, which the Committee is scheduled to approve on April 7, 2004. He added that the Committee is trying to schedule an additional meeting prior to April 6, 2004 in order to discuss the sign code revisions. He concluded that the Committee would be developing a City Hall Project Oversight Plan that would be shared with the Council.

#### MISCELLANEOUS REPORT

Councilmember Marchione reported on his experiences at the National League of Cities Congressional Conference in Washington, D.C. from March 5 - 9, 2004.

Councilmember Paine stated that at the Eastside Transportation Partnership meeting on March 12, 2004, concerns were expressed about the lack of action by the Legislature on the Regional Transportation Investment District's taxing authority. He added that at the same meeting Sound Transit representatives presented information on what Sound Transit is doing on planning for Phase 2 and recommended that the Council hear that presentation. He concluded that Sound Transit's message to cities was to keep moving forward on their plans for high capacity transit. Councilmember Resha added that Sound Transit is starting the environmental process for Phase 2, and within the next three months, the city needs to provide input.

March 16, 2004

The Mayor reported that she is hearing a growing support for making State Route 520 a high priority and the city needs to work with its neighboring jurisdictions to make that happen.

#### COUNCIL RETREAT

Councilmembers discussed logistics for their retreat on March 19 and 20, 2004.

#### EXECUTIVE SESSION AND ADJOURNMENT

The Council held an executive session from 10:10 p.m. to 10:35 p.m. on property disposition. There being no further business to come before the Council, the Mayor declared the meeting adjourned at 10:35 p.m.

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MAYOR

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CITY CLERK